

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

WANDA McCANN-SMITH,  
  
Plaintiff,  
  
v.  
  
MERITER HOSPITAL,  
  
Defendant.

ORDER  
  
11-cv-485-slc

---

This court held a recorded telephonic preliminary pretrial conference on September 23, 2011. Plaintiff, who is representing herself, did not participate and did not contact the court to indicate that she would be unable to participate. The court had no telephone number at which it could reach plaintiff, so it assumed that plaintiff wished to proceed with this lawsuit, set the schedule and issued the preliminary pretrial conference order. In that order, the court directed that “not later than October 11, 2011, plaintiff should write to the court (with a copy to defendant’s attorney) acknowledging that she has received this preliminary pretrial conference order, she does wish to go forward with this lawsuit, and weighing in on whether she would be willing to set trial for earlier next year.” September 26, 2011 Preliminary Pretrial Conference Order, dkt. 13, at 1.

It is now October 17, 2011 and plaintiff has not contacted the court in any fashion. Defendant filed a letter today noting plaintiff’s silence and asking the court to dismiss plaintiff’s lawsuit. Dkt. 14.

Because I did not make clear to plaintiff that her failure to follow the court’s order would result in dismissal of her lawsuit for failure to prosecute it, I will give her one more week: as soon as possible but not later than 4:30 p.m. on Monday, October 24, 2011, plaintiff must file and serve the letter with the information directed by the court in the preliminary pretrial conference order, as quoted above. If plaintiff misses this deadline or does not provide the required information, then the court will dismiss her lawsuit for failure to prosecute it.

Entered this 17<sup>th</sup> day of October, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge